

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CYNTHIA HITCHENS,

Plaintiff,

v.

No. 16-cv-0576 SMV/KK

NANCY DOLL,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant's Motion for Summary Judgment or, in the Alternative, Dismissal with Prejudice [Doc. 29] ("MSJ"), filed on October 28, 2016. An in-person hearing is set for January 23, 2017. *See* [Doc. 33]. At the hearing, counsel must be prepared to argue the MSJ and additionally to address:

- whether Defendant's counterclaim for revocation of inheritance is barred by the probate exception to federal jurisdiction, *see Marshall v. Marshall*, 547 U.S. 293, 311–12 (2006); and
- whether Plaintiff will stipulate that the Settlement Agreement attached as Exhibit A to Defendant's Answer . . . and Counterclaims, [Doc. 9] at 8–14, is a true and accurate copy of the Settlement Agreement at issue in this case, and if not, precisely and specifically what distinguishes it from a true and accurate copy.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge
Presiding by Consent